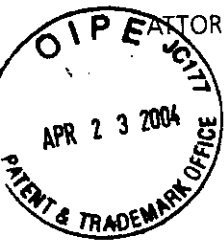




**Sterne Kessler
Goldstein Fox**

ATTORNEYS AT LAW



Robert Greene Sterne
Edward J. Kessler
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbala
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Linda E. Alcorn
Robert C. Millonig
Lawrence B. Bugalsky
Donald J. Featherstone
Michael V. Messinger

Judith U. Kim
Timothy J. Shea, Jr.
Patrick E. Garrett
Heidi L. Kraus
Edward W. Yee
Albert L. Ferro
Donald R. Banowitz
Peter A. Jackman
Teresa U. Medler
Jeffrey S. Weaver
Kendrick P. Patterson
Vincent L. Capuano
Eldora Ellison Floyd
Thomas C. Fiala
Brian J. Del Buono
Virgil Lee Beaston
Kimberly N. Reddick
Theodore A. Wood

Elizabeth J. Haanes
Joseph S. Ostroff
Frank R. Cottingham
Christine M. Lhulier
Rae Lynn Prengaman
Jane Shershenovich
Lawrence J. Carroll
George S. Bardmesser
Daniel A. Klein
Jason D. Eisenberg
Michael D. Specht
Andrea J. Kamage
Tracy L. Muller
LuAnne M. DeSantis
John J. Figueroa
Ann E. Summerfield
Tiera S. Coston
Aric W. Ledford

Michael D. Specht
Jessica L. Parezo
Timothy A. Doyle
Cynthia M. Bouchez
Nicole D. Dretar
Ted J. Ebersole

Registered Patent Agents*
Karen R. Markowicz
Nancy J. Leith
Helene C. Carlson
Gaby L. Longworth
Matthew J. Dowd
Aaron L. Schwartz
Mary B. Tung
Katrina Y. Pei Quach
Bryan L. Skelton
Robert A. Schwartzman

Teresa A. Colella
Jeffrey S. Lundgren
Victoria S. Rutherford
Eric D. Hayes
Michelle K. Holoubek
Robert H. DeSelms
Simon J. Elliott
Julie A. Heider
Mita Mukerjee
Scott M. Woodhouse

Of Counsel
Kenneth C. Bass III
Evan R. Smith
Marvin C. Guthrie
*Admitted only in Maryland
*Admitted only in Virginia
*Practice Limited to
Federal Agencies

April 23, 2004

WRITER'S DIRECT NUMBER:
(202) 772-8677

INTERNET ADDRESS:
RSOKOHL@SKGF.COM

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APR 26 2004 **Art Unit 2152**

Technology Center 2100

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Re: U.S. Utility Patent Application
Application No. 09/912,401; Filed: July 26, 2001
For: **System, Method and Computer Program Product To Maximize
Server Throughput While Avoiding Server Overload By Controlling
The Rate Of Establishing Server-Side Network Connections**
Inventors: **RAPHEL et al.**
Our Ref: **1763.0140000**

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Third Supplemental Information Disclosure Statement;
2. Form PTO-1449 listing FIVE (5) documents (1 page);
3. Copies of the FIVE (5) cited documents as listed; and
4. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
April 23, 2004
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

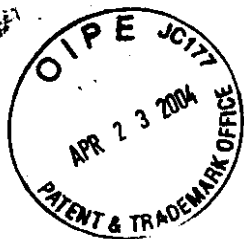
Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Robert Sokohl
Attorney for Applicants
Registration No. 36,013

RES/mjg
Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#8
T.D.
04/28/07

In re application of:

RAPHEL *et al.*

Appl. No.: 09/912,401

Filed: July 26, 2001

**For: System, Method And Computer
Program Product To Maximize
Server Throughput While Avoiding
Server Overload By Controlling the
Rate of Establishing Server-Side
Network Connections**

Confirmation No.: 4249

Art Unit: 2143

Examiner: David Armand Wiley

Atty. Docket: 1763.0140000

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APR 26 2004

Technology Center 2100

Third Supplemental Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. Therefore, no statement or fee is required. Filing under 37 C.F.R. § 1.97(b).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO 1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Robert Sokohl
Attorney for Applicants
Registration No. 36,013

Date: 4/23/04

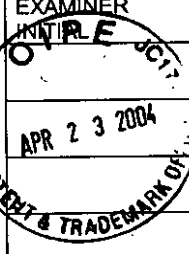
1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

235124_1.DOC

FORM PTO-1449

THIRD SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.
1763.0140000APPLICATION NO.
09/912,401INVENTORS
RAPHEL *et al.*FILING DATE
July 26, 2001ART UNIT
2143

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1						
	AB1						
	AC1						
	AD1						
	AE1						
	AF1						
	AG1						
	AH1						
	AI1						
	AJ1						
	AK1						

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APR 26 2004

Technology Center 2100

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL1	WO 98/06033 A1	02/1998	PCT			Yes No
	AM1	WO 00/28433 A2 & A3	05/2000	PCT			Yes No
	AN1	WO 00/45286 A1	08/2000	PCT			Yes No
	AO1						Yes No
	AP1						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	1	PR Newswire, "NetScreen Offers Free Software Upgrade to Leading Security Appliance to Help E-Businesses Defend Against Attacks," PR Newswire, February 14, 2000, p. 1.
AS	1	Fielding, R. <i>et al.</i> , "Hypertext Transfer Protocol - - HTTP/1.1," RFC 2616, Sections 3.6, 4.4, 8, 14.13, 14.41, and 19.4.6, 19 pages, IETF, from http://www.w3.org/Protocols/rfc2616/rfc2616 , (June 1999).
AT	1	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.